

ZONING ADMINISTRATOR HEARING AGENDA

**CITY OF NEWPORT BEACH
COUNCIL CHAMBERS – 3300 NEWPORT BOULEVARD
Wednesday, May 25, 2011
Regular Meeting – 3:30 p.m.**

**Patrick Alford
Zoning Administrator**

NOTICE TO THE PUBLIC

HEARING ITEMS

- ITEM NO. 1.** Continued from May 12, 2011 Hearing
Westcliff Plaza Pylon Signs - Modification Permit No. MD2011-006
(PA2011-050)
1016 – 1150 Irvine Avenue Council District 3
- SUMMARY:** Amendment to a previously approved modification permit that allowed the installation of a second freestanding sign (where the zoning code limits the property to one) for project and tenant identification for Westcliff Plaza, a commercial shopping center. The application includes a request to increase the height to 24 feet where the zoning code limits the height to 20 feet, and to increase the overall width to 7-feet 2-inches where the zoning code limits the width to a maximum of 6 feet. The applicant also proposes to increase the sign copy area to 97.5 square feet where the zoning code limits the sign area to 75 square feet, and requests deviation from the landscape requirement and the required distance from driveway. The property is located in the CN (Commercial Neighborhood) District.
- RECOMMENDED ACTION:** 1) Conduct public hearing; and
2) Disapprove Modification Permit No. MD2011-006 (PA2011-050) subject to the recommended findings.
- CEQA COMPLIANCE:** The project is exempt from environmental review pursuant to Section 15311, Class 11 (Accessory Structures) of the Implementing Guidelines of the California Environmental Quality Act.
- ITEM NO. 2.** Palmer Residence – Parcel Map No. NP2011-005 (PA2011-067)
320 and 320 ½ Larkspur Avenue Council District 6
- SUMMARY:** (A parcel map for condominium purposes for a new, two-unit residential development. No modifications or waivers of Title 19 (Subdivision Code) development standards are proposed with this application. The property is located in the R-2 (Two-Family Residential) District.
- RECOMMENDED ACTION:** 1) Conduct public hearing; and
2) Approve Parcel Map No. NP2011-005 (PA2011-067) subject to the recommended findings and conditions.

CEQA

COMPLIANCE: The project is exempt from environmental review pursuant to Section 15315, Class 15 (Minor Land Divisions) of the Implementing Guidelines of the California Environmental Quality Act.

ITEM NO. 3. Whimsical Italian Gelato – Minor Use Permit No. UP2011-015 (PA2011-090)
3109 Newport Boulevard Council District 1

SUMMARY: A minor use permit to allow the operation of a take-out service, limited eating establishment with six seats to occupy an existing retail space within the Landing Shopping Center. The proposed hours are 7:00 a.m. to 11:00 p.m., daily. Alcohol sales is not proposed. The property is located in the CN (Commercial Neighborhood) District.

RECOMMENDED

ACTION: 1) Conduct public hearing; and
2) Approve Minor Use Permit No. UP2011-015 (PA2011-090) subject to the recommended findings and conditions.

CEQA

COMPLIANCE: The project is exempt from environmental review pursuant to Section 15301, Class 1 (Existing Facilities). of the Implementing Guidelines of the California Environmental Quality Act.

ITEM NO. 4. Whitacre Residence – Minor Use Permit No. UP2010-021, Modification Permit No. MD2010-027, and Lot Merger No. LM2010-007 (PA2010-105 and PA2010-174)
101 15th Street Council District 1

SUMMARY: A use permit application for an addition to a nonconforming structure. The addition will be up to 75 percent of the existing square footage. The applicant also requests a modification permit to allow the proposed addition to encroach into the required five foot side yard setback on the northerly side of the property and the required ten foot rear yard setback. The site is developed with two commercial structures adjacent to 15th Street and a residential structure to the rear. The applicant proposes an addition to the existing residence and the addition of a new dwelling unit above the commercial structures. Four-car parking is proposed to satisfy the residential parking requirements. The applicant additionally requests a lot merger to combine two lots into one lot for mixed-use development. The property is located in the MU-CV/15th St (Mixed Use Cannery Village/15th St) District.

RECOMMENDED

ACTION: 1) Conduct public hearing; and
2) Approve Minor Use Permit No. UP2010-021, Modification Permit No. MD2010-027, and Lot Merger No. LM2010-007 (PA2010-105 and PA2010-174) subject to the recommended findings and conditions.

CEQA

COMPLIANCE: The project is exempt from environmental review pursuant to Section 15301, Class 1 (Existing Facilities) and Section 15315 and Class 15 (Minor Land Divisions) of the Implementing Guidelines of the California Environmental Quality Act.

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least 72 hours in advance of each hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact the Planning Division at least 48 hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Division located at 3300 Newport Boulevard, during normal business hours.

APPEAL PERIOD: Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.

Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.